

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Mylan N.V. Securities Litigation

Case No. 1:16-CV-07926 (JPO)

STIPULATION AND ORDER

WHEREAS, on March 20, 2017, Lead Plaintiffs Menorah Mivtachim Insurance Ltd., Menorah Mivtachim Pensions and Gemel Ltd., Phoenix Insurance Company Ltd., Meitav DS Provident Funds and Pension Ltd. and Dan Kleinerman (collectively, “Lead Plaintiffs”) filed an Amended Class Action Complaint in the above-captioned action (the “Action”);

WHEREAS, on May 30, 2017, defendants Mylan N.V., Mylan Inc., Heather Bresch, Robert J. Coury, Paul B. Campbell, Kenneth S. Parks and John D. Sheehan filed a motion to dismiss the Amended Class Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6);

WHEREAS, on March 28, 2018, this Court issued an opinion, granting in part and denying in part the May 30, 2017 motion to dismiss the Amended Class Action Complaint;

WHEREAS, on July 6, 2018, Lead Plaintiffs filed a Second Amended Class Action Complaint, adding additional claims and defendant Rajiv Malik;

WHEREAS, on August 6, 2018, Mylan filed a partial motion to dismiss the Second Amended Class Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6);

WHEREAS, on March 29, 2019, this Court issued an opinion, granting in part and denying in part the August 6, 2018 partial motion to dismiss the Second Amended Class Action Complaint;

WHEREAS, on April 19, 2019, the defendants named in Lead Plaintiffs' Second Amended Class Action Complaint filed an Answer and Affirmative and Other Defenses to said complaint;

WHEREAS, on June 17, 2019, Lead Plaintiffs filed a Third Amended Class Action Complaint, adding additional claims and defendant James Nesta (together with Mylan N.V., Mylan Inc., Heather Bresch, Robert J. Coury, Paul B. Campbell, Rajiv Malik, Kenneth S. Parks and John D. Sheehan, the "Defendants");

WHEREAS, on June 21, 2019, the Court issued an electronic Summons for James Nesta;

WHEREAS, the undersigned counsel for Defendants has agreed to accept service of the Summons and the Third Amended Class Action Complaint on behalf of James Nesta;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for Lead Plaintiffs and Defendants as follows:

1. The undersigned counsel for Defendants were authorized to accept, and did accept, service of the Summons and the Third Amended Class Action Complaint on behalf of James Nesta in the above-captioned action, without prejudice and without waiver of any defenses, objections or arguments in this matter or any other matter, except as to sufficiency of service of process.
2. James Nesta shall answer or otherwise respond to the Third Amended Class Action Complaint by no later than July 31, 2019.
3. In the event that James Nesta responds to the Third Amended Class Action Complaint by filing a motion to dismiss in full or in part, Lead Plaintiffs' papers in opposition thereto

shall be filed on or before August 30, 2019, and James Nesta's reply papers in further support of any such motion shall be filed on or before September 18, 2019.

4. This stipulation may be executed in counterparts and by email via pdf.

Dated: July 2, 2019

POMERANTZ LLP

by



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Co-Lead Counsel for Lead Plaintiffs

SO ORDERED.

Dated: July 3, 2019
New York, New York

CRAVATH, SWAINE & MOORE LLP

by



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J. PAUL OETKEN
United States District Judge